

DIRECT TESTIMONY
OF
CINDY JACKSON

CONSUMER SERVICES DIVISION
ILLINOIS COMMERCE COMMISSION

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1 **I. Introduction and Purpose of Testimony**

2 **Q. Please state your name and business address.**

3 A. My name is Cindy Jackson, and my business address is 527 East Capitol
4 Avenue, Springfield, Illinois 62701.

5 **Q. What is your occupation?**

6 A. I am a Consumer Policy Analyst in the Consumer Services Division ("CSD")
7 of the Illinois Commerce Commission ("Commission").

8 **Q. What are your present responsibilities in the Consumer Services**
9 **Division?**

10 A. I am the telecommunications witness for the Consumer Services Division,
11 representing the interests of Illinois consumers. I have testified on behalf of
12 consumer interests in the SBC/Ameritech merger, Bell/Atlantic merger, Global
13 Crossings/Frontier merger, Gallatin River purchase of Centel, and several other
14 dockets where independent telephone companies or assets were purchased. I
15 have participated in over 300 competitive local certification dockets, which
16 participation includes reviewing applications and testimony from companies
17 requesting certification to provide local exchange telephone service in Illinois.
18 Specifically, I participate in the hearing process to ensure the applicant's compliance
19 with Illinois statutes, and Commission rules and regulations. Additionally, I have
20 participated in over 60 dockets that established Eligible Telecommunications
21 Carriers status for local exchange companies.

22 I was also appointed Staff Liaison by the Executive Director under Section
23 755.400 of 83 Illinois Administrative Code Part 755 on August 1, 1993, to the Illinois

Telecommunications Access Program ("ITAP"). In that capacity, I oversee activities of the ITAP to ensure that the carriers meet all requirements for the Text Telephone ("TT") distribution and Telecommunications Relay Service ("TRS") programs as required in Section 13-703 of the Public Utilities Act ("PUA"). In addition, I was appointed Staff Liaison by the Executive Director pursuant to Section 757.300 of 83 Illinois Administrative Code Part 757 on February 13, 1996 to the Universal Telephone Assistance Program ("UTAP"). As Staff Liaison, I oversee the activities of the UTAP to ensure that carriers meet all requirements of the Lifeline Program, Link Up Program and the Universal Telephone Service Assistance Program ("UTSAP") as required in Section 13-301 and 13-301.1 of the PUA.

Q. Please describe your occupational experience.

A. I began my employment with the Commission in September 1974, and I have worked in various Divisions within the Commission, including the Consumer Services Division ("CSD"). Prior to my position as Staff Liaison, I was the 9-1-1 Program Assistant. Some of my duties included: reviewing 9-1-1 applications to ensure compliance with the Commission's rules and the statute were adhered to, making presentations, and reviewing filings.

Q. Have you testified before the Commission in other dockets?

A. Yes. I have provided testimony in I.C.C. Docket 99-0442 and 99-0443 (ITAC relay proposal and contract); Docket No. 98-0555 (SBC/Ameritech merger); Docket No. 98-0866 (GTE/Bell Atlantic merger); Docket No. 99-0237 (Global Crossing/Frontier merger) I.C.C. Docket 98-0321 (Gallatin River purchase of Centel); Docket No. 96-0503 (GTE wholesale); Docket No. 99-0544 (ATS

Services, Inc., CLEC certification); Docket No. 00-0043 (CUB vs. Ameritech marketing practices); Docket No. 98-0252/98-0335 (Consol.) (Ameritech's Alternative Regulation); and several other telecommunications related cases.

Q. What is the purpose of your testimony?

A. The purpose of my testimony is to propose new, and revise existing, service quality definitions and standards in connection with the revision of Illinois Administrative Code 730 ("Part 730"). I will also provide testimony regarding the general tenor of service quality complaints received by the Commission from customers regarding local exchange service quality.

Q. What portions of Part 730 will your testimony address?

A. My testimony will address the definitions set forth in Part 730.105 of Answer Time, Appointment, Installation Trouble Report, Repeat Trouble Report, and Trouble Report. Additionally, I will address revisions to Sections 730.510, Answering Time; 730.535(c) Interruptions of Services; and 730.540 (e), Installation Requests.

Q. When was Part 730 last revised?

A. The Commission entered an Order in Docket No. 98-0453, revising Part 730, on August 29, 2000, that went into effect on September 1, 2000.

Q. Please summarize the revisions to Part 730 that became effective on September 1, 2000.

A. The Order in Docket No. 98-0453 amends some of the service quality standards then set forth in the Rule. The Rule that was revised in September of 2000 states that companies must report to the Telecommunications Division

71 when they fail to meet the service quality standards. The 98-0453 Order also
72 revises the average speed of answer of calls for toll, assistance, and information,
73 increasing it from seven to ten seconds. Two new answering time requirements
74 were established, requiring the Local Exchange Carrier ("LEC") to answer calls
75 placed to their business and repair offices within 60 seconds, so as to render
76 assistance or accept information to process calls. Finally, the Rule was revised
77 to require LECs to maintain records of their telephone answer time performance
78 and abandon rates, in order to allow Staff to ascertain how fast consumer calls
79 are answered and how many consumers hang up before their calls are
80 answered. The LECs are to maintain these records at the local business
81 office(s) and repair office(s), for presentation to the Commission in an annual
82 report.

83 **Q. When did the Commission order the current docket to be opened,**
84 **and what was their reason?**

85 A. On September 7, 2000, the Commission voted to open a new docket to
86 review Part 730. As the initiating order states, the purpose of this review is to
87 ensure clarity of standards and benchmarks and uniform reporting by all local
88 exchange companies. Further, Staff is to investigate whether current standards
89 are appropriate, or whether more stringent standards should be adopted to
90 compensate consumers for poor LEC performance.

91 **Q. Is the Draft Rule proposed by Staff in its testimony in this**
92 **proceeding, the first version of Part 730 proposed by Staff in the initial**
93 **workshop held on December 19, 2000?**

94 A. No. The version of Part 730 proposed by Staff, which is attached to
95 Witness McClerren's testimony ("Draft Rule"), reflects language reached by
96 compromise and negotiation with the parties to this docket. As discussed in Staff
97 Witness McClerren's testimony, if during this proceeding a party changes its
98 position regarding Staff's Draft Rule, then Staff reserves the right to withdraw its
99 Draft Rule in whole, or in part, since the language in the Draft Rule reflects
100 discussion, negotiation and concessions made by Staff in the spirit of
101 compromise.

102 **Q. Did you participate in the workshops to revise Part 730, as discussed**
103 **in Mr. McClerren's testimony?**

104 A. Yes.

105 **Q. Did you previously file testimony in this docket?**

106 A. Yes. I have revised my previously filed testimony in light of HB 2900, the
107 impact of which was discussed in workshops held subsequent to my previously
108 filed testimony.

109 **Q. Does the testimony that you are filing today replace the testimony**
110 **that was filed on May 2, 2001?**

111 A. Yes.

112 **Q. Have all of the issues in your testimony been agreed to by the**
113 **workshop participants?**

114 A. To the best of my knowledge, of the issues I discuss in my testimony, I
115 believe only one issue is being contested by some of the telephone companies.
116 Certain other open issues are addressed in the testimony of Staff witness Sam

117 McClerren. With respect to the issues I address, the requirement that
118 “abandoned calls be report remains open. Specifically, at least one carrier has
119 repeatedly stated its displeasure at having to report an abandon rate¹ to the
120 Commission, as required by the previous revisions made to Part 730 in Docket
121 No. 98-0453. It is my understanding that all other definitions, standards and
122 benchmarks that are discussed in my testimony have been agreed to in the
123 workshops by all the participants.

124 **Q. Your testimony discusses several specific areas of change to Part**
125 **730, have you attached a draft rule to your testimony that outlines your**
126 **changes?**

127 A. No, I have not. A copy of the draft rule is attached to Staff Witness
128 McClerren’s testimony.

129
130 **II. Part 730.105 - Definitions**

131 **Q. What definitions do you address in your testimony?**

132 A. I address the definitions of Answer Time, Appointment, Installation Trouble
133 Report, Repeat Trouble Report, and Trouble Report. These definitions are in the
134 revised Part 730 Section 730.105.

135
136
137 **Q. Are all of these definitions new additions to Part 730?**

¹Abandon rate is expressed by the number and percentage of abandoned phone calls.

A. No. The definitions for Installation Appointment, Trouble Report, Repeat Trouble Report, and Trouble Report are new definitions. The definition for Answer Time is currently in the Rule, but Staff's Draft Rule revises it from the current definition.

A. "Answer Time"

Q. What is the definition of Answer Time in the current Part 730?

A. The current definition of Answer Time is:

"Answer Time" means a measurement from the point
a call is placed in the answering queue.

Q. Please provide the definition of Answer Time that Staff proposed in the initial version of Part 730 discussed at the first workshop held on December 19, 2000.

A. Staff proposed the following definition:

"Answer time" means the amount of time measured from the moment a representative or a menu driven, automated, or interactive system receives a call until the moment such representative and/or such system begins to accept information necessary to process subject matter of the customer inquiry. An acknowledgement that the customer has been placed "on hold" or "inline for the next available representative" shall not constitute the beginning of acceptance of information.

Q. After eight workshops and considerable discussion with the industry and consumer representatives, did the participants agree to a definition of "Answer Time?"

A. Yes. It is my belief that the parties agree to the following definition (Lines 128 –134):

166 “Answer Time” means a measurement in seconds from the point
167 the carrier’s telephone system receives the call until the call is
168 answered by the carrier’s representative or voice response unit and
169 is ready to accept information. In the case when the carrier uses a
170 menu-driven system, the measurement begins once the menu-
171 based system has transferred the customer into the carrier’s
172 telephone system until the call is answered by the carrier’s
173 representative.
174

175 **Q. Why did Staff believe that the definition of “Answer Time” needed to**
176 **be revised?**

177 A. There are several reasons for revising the definition. The current
178 definition assumes that all telephone companies answer their telephones by
179 some mechanical means, which is not correct. In addition, some calls which
180 were technically “answered” under the current rule nevertheless required the
181 consumer to wait to have their questions answered. In some instances, once the
182 call is answered, by either mechanical or manual means, the call is placed in the
183 answering queue or consumers are being placed on hold. While on hold or in
184 queue customers would have to wait long periods of time to have their questions
185 addressed. In other instances, LECs answer calls by an answering machine,
186 requiring customers to leave a message and wait for the LEC to return the call.
187 Staff’s revision to the definition provides a more detailed definition for the
188 answering of calls to ensure consistent recording and reporting by the
189 companies, ultimately ensuring better quality service to its customers.
190

191 **Q. If a LEC uses a menu driven system, does the calculation of Answer**
192 **Time begin when the consumer calls the LEC and the automated system**
193 **answers the call?**

194 A. No. In a menu driven system, the answer time would commence when
195 the consumer takes the appropriate action to leave the menu driven system to
196 talk to a customer service representative.

197 **Q. Does the measurement of “Answer Time” begin when the automated**
198 **system answers the call?**

199 A. No. During the workshops LECs stated that their automated systems
200 answer calls within one or two seconds. The LECs all stated that there is no way
201 for them to count the one or two seconds at the beginning of the call, stop, and
202 then resume counting if the consumer activates the system to talk to a customer
203 service representative. Therefore, Staff agrees that, due to the practical realities
204 governing this situation, the measurement of Answer Time would commence
205 when the consumer leaves the automated system, and the measurement would
206 end when a consumer representative who is ready to accept information answers
207 the call.

208 **Q. Under Staff’s definition of Answer Time, if a consumer was**
209 **navigating through a menu driven system or voice response unit, would**
210 **that time be included in the calculation of the answer time?**

211 A. No. As I state above, the measurement of Answer Time begins when the
212 consumer leaves the automated system to speak to a customer service
213 representative.

214 **B. "Appointment"**

215 **Q. Please provide the definition of Appointment that Staff proposed in**
216 **the eighth version of Part 730 discussed at the workshop held on August**
217 **29, 2001.**

218

219 A. Staff proposed the following definition (Lines 143 – 146):

220

221 "Appointment" means an arrangement made by a
222 telecommunications carrier to meet a customer within
223 a four (4) hour window at the customer's premises to
224 perform work on the network.
225

226 **Q. After the workshop and discussions with the industry and consumer**
227 **representatives, did the participants agree to a definition of**
228 **"Appointment?"**

229 A. Yes. It is my belief that the parties agree to the definition proposed by
230 Staff.

231 **Q. Why does Staff believe that the definition for "Appointment" should**
232 **be added to the definition section of Part 730?**

233 A. Two new sections were added to Part 730, 730.535(c) and 730.540(e),
234 which define the parameters for carriers to schedule appointments with
235 customers. These parameters conform to the requirements of 83 Ill. Adm. Code
236 Part 732 ("Part 732"), Customer Credits. Part 732 was approved by the
237 Commission on August 1, 2001, pursuant to its authority to establish emergency
238 rules. The Staff of the Commission has hosted workshops to revise the
239 emergency rule Part 732 to its final form. The language in the emergency rule

Part 732 was taken directly from 720 ILCS 5/13-712. Section 5/13-712 was part of Public Act 92-0022, which became effective on June 30, 2001. One of the requirements of Section 5/13-712 is that each telecommunications carrier compensate consumers for missed repair and installation appointments.

C. “Repeat Trouble Report” and “Installation Trouble Report”

Q. Please provide the definition of Repeat Trouble Report that Staff proposed in the initial version of Part 730 discussed at the first workshop held on December 19, 2000.

A. Staff proposed the following definition:

“Repeat Trouble Report” means any trouble report filed within thirty (30) days after the closing of a previously filed trouble report identifying substantially the same service problem with respect to the same access line. The term ‘Repeat Trouble Report’ shall also include any trouble report on a newly installed line within 30 days after such installation.”

Q. After eight workshops and considerable discussion with the industry and consumer representatives, did the participants agree to a definition of Repeat Trouble Report?

A. Yes. It is my belief that the parties agree to the following definition (Lines 451 – 453):

“Repeat Trouble Report” means any network trouble report filed within thirty (30) days after the closing of a previous network trouble report filed by the same customer for the same working line.

Initially, Staff proposed that the definition of Repeat Trouble Report include the concept of installation trouble reports. In response to discussions at the workshop, it was decided that “Installation Trouble Reports” should be defined

268 and tracked separately from repeat trouble reports. Therefore, it is my belief that
269 the parties agree to the following definition for Installation Trouble Reports (Lines
270 334 – 336):

271 “Installation Trouble Report” means any network trouble report filed
272 within seven (7) days after the completion of a basic local exchange
273 service installation on the same line.
274

275 **Q. Do you recommend any additional revisions to the definition of**
276 **“Installation Trouble Report”?**

277 A. Yes. I believe that “on the same line” should be added at the end of the
278 definition of “Installation Trouble Report”, after the word “installation,” so that
279 customers with multiple lines who experience trouble on different line(s) would
280 not be classified as a repeat trouble with the network. I believe that this
281 language is needed to avoid misinterpretation and incorrect reporting by carriers.
282 Staff is of the belief that the omission of this clarifying language was an oversight
283 and that the workshop participants would agree to add this language.

284 **Q. Why does Staff believe that the definitions for “Installation Trouble**
285 **Report” and “Repeat Trouble Report” should be added to the definition**
286 **section of Part 730?**

287 A. These definitions are needed to explain two reporting standards that were
288 added during the workshops. The new reporting standards will ensure that
289 carriers uniformly interpret and report information on repeat trouble reports.
290 Additionally, the reporting of these two standards will allow Staff to monitor the
291 carriers service in order to ensure that consumers are receiving quality service.

The rationale for the standards will be provided in Staff Witness McClerren's testimony.

D. "Trouble Report"

Q. Please provide the definition of "Trouble Report" that Staff proposed in the initial version of Part 730 discussed at the first workshop held on December 19, 2000.

A. Staff originally proposed the following definition: "Trouble Report" means any customer complaint regarding the condition of their telephone service, including both service affecting or out of service conditions.

Q. After eight workshops and considerable discussion with the industry and consumer representatives, did the participants agree upon a definition of Trouble Report?

A. Yes. It is my belief that the parties have agreed to the following definition (Lines 471 – 474):

"Trouble Report" means any customer complaint to the local exchange carrier regarding the operation of the network affecting their service, including both service-affecting conditions or out of service conditions.

Q. Why does Staff believe that Trouble Report should be added to the definition section of Part 730?

A. Trouble Report is a new reporting standard and Staff believes it should be incorporated into the rule. The rationale for this standard will be provided in the

testimony Staff Witness McClerren. This definition will ensure that LECs uniformly interpret and report trouble report information.

Q. What is the difference between service affecting conditions and out of service conditions?

A. A service affecting condition, would be a problem on the line, such as, noise, static, cross talk, that would affect the service, but the service would still be working. Whereas, out of service is defined in this rule under "Out of Service > 24 Hours."

III. 730.510 Answer Time

A. Part 730.510(a) Operator offices

Q. What revisions did Staff propose to Part 730.510(a), Operator offices?

A. Staff's proposed revisions to Part 730.510(a) clarify that the operator office's answer times will be calculated on a monthly basis, add a reporting requirement, and clarify that the reporting time should be measured in business days, rather than calendar days. The new reporting requirement states that a LEC shall report its corrective actions to the Commission when a company's operator offices' average answering time exceeds 10 seconds within 15 business days after the end of the month in which the violation occurred.

Q. After eight workshops and considerable discussion with the industry and consumer representatives, is it your belief that the participants have agreed to specific language for Part 730.510(a)(1) and (2)?

A. It is my belief that the parties agree to the following language in subparagraphs (1) and (2) (Lines 870 – 891):

(1) Operator offices shall be staffed so that the average answer time, calculated on a monthly basis, shall not exceed ten (10) seconds for the following types of calls: (i) toll and assistance; and (ii) information.

(2) Whenever the average answer time, calculated on a monthly basis, exceeds ten (10) seconds, the local exchange carrier shall take corrective action and report such action to the Commission within fifteen (15) business days after the end of the month in which the violation occurred.

Q. Why did Staff propose the revisions to the Operator offices section of the rule?

A. Staff's revisions will ensure that companies uniformly interpret, calculate and report the operator answering times. In addition, the new reporting requirement in subsection (2) will alert Staff to potential service problems and will allow Staff to monitor a company's service quality.

B. Part 730.510(b) Business and Repair Offices

Q. What revisions did Staff propose to Part 730.510(b), Business and Repair Offices?

A. Staff proposed the following language in subparagraph (1):

366 Business and Repair offices shall be staffed so that the average
367 answer time, calculated on a monthly basis, shall not exceed 10
368 seconds, with respect to ninety percent of all calls placed to such
369 business offices and repair offices. In the case where a menu
370 driven, automated, or interactive system is utilized to answer any
371 such call, such system shall provide, as the first message or option,
372 the option of transferring to a live attendant, shall be the first
373 message or option. An acknowledgement that the customer has
374 been placed "on hold" or "inline for the next available
375 representative" shall not constitute the beginning of acceptance of
376 information.
377

378 **Q. After eight workshops and considerable discussion with the industry**
379 **and consumer representatives, did the participants agree to specific**
380 **language for Section 730.510(b)(1)?**

381 A. Yes. It is my belief that the parties agree to the following language in
382 subparagraph (1) (Lines 893 – 901):

383 Business offices (during normal business hours) and
384 Repair offices shall be staffed so that the average
385 answer time, calculated on a monthly basis, shall not
386 exceed sixty (60) seconds. In the case where a menu
387 driven, automated, or interactive system is utilized to
388 answer any such call, such system shall provide
389 within the first menu of options, the option of
390 transferring to a live attendant.
391

392 **Q. Why did Staff propose to revise those sections of Part 730 that**
393 **address Business and Repair Office Answering Time?**

394 A. It is Staff's goal to decrease business and repair office answer times
395 because information Staff reviewed demonstrated that the answer times are too
396 long. This determination is based upon information gained from testimony
397 submitted in other docketed cases, customer complaints, and comments

received by Commissioners and Commission Staff at open meetings. To summarize this information, customers have been placed on hold for long periods of time when they called carrier business and repair offices. In the workshops, the carriers argued that the revisions to Part 730 that were adopted in September of 2000 mandated an answering time benchmark and required the companies to file with the Commission an Answering Time Report, by March, 2001. Accordingly the carriers stated that Staff should review the Answer Time reports before trying to raise the answering time standard. During the workshops and the negotiations, Staff conceded to carriers requests on this issue in order to reach an agreement. As a result, Staff agrees not to change the Answer Time standard until it received and analyzed the Answering Time Reports. This concession was made, in large part, in the spirit of compromise and in response to concessions made by the carriers to other proposed changes to Part 730 that have been referenced in my testimony but Staff wishes to emphasize that this concession was not made as a result of the persuasiveness of the carriers arguments with respect to the underlying issue. Staff continues to consider the underlying issue regarding answering time a serious one that will require attention. If the parties are not in agreement with the Rule as discussed in my testimony, and that of Witness McClerren, then this concession, as well as others made by Staff will be revoked by Staff.

Q. Does Staff propose any changes to LECs automated menus?

A. Staff proposes, and the companies agree, to require a menu option of transferring to a live attendant. The larger telephone companies in the state

421 have installed automated answering systems. Staff acknowledges that there are
422 times that automation is quick and convenient for consumers and can answer
423 some consumers inquiries, however, there are instances when consumers want
424 or need to speak with a “live” customer service representative. Staff also
425 acknowledges that some consumers are savvy as to how automated systems
426 work, have confidence in the systems, and want to use them, however, there are
427 consumers whose questions cannot be answered by the automated system or
428 who do not have confidence in these systems or who are not that savvy and
429 need specific directions as to how to access a “live” customer service
430 representative.

431 **Q. Did Staff propose a new reporting requirement for Business and**
432 **Repair Office Answer Times?**

433 A. Yes. Staff proposes, and the workshop participants agree to the following
434 language in 730.510(b)(2) (Lines 903 - 907):

435 Whenever the average answer time, calculated on a monthly basis,
436 exceeds sixty (60) seconds, the local exchange carrier shall take
437 corrective action and report such action to the Commission within
438 fifteen (15) business days after the end of the month in which the
439 violation occurred.
440

441 **Q. Why did Staff propose this reporting requirement to this section of**
442 **the rule?**

443 A. The new reporting requirement will alert Staff to potential company
444 problems, will allow Staff to more closely monitor service quality and will notify

Staff of the LECs' corrective actions so it can determine the effectiveness of those corrections.

Q. Did Staff propose any revisions to Section 730.510(b)(3)?

A. Yes. Staff proposed new language to clarify that local exchange carriers shall collect answer time performance information in monthly periods, and file reports with the Chief Clerk of the Commission on an annual basis. Staff also added language to clarify that the business and repair office(s) answer times shall be reported separately, if the office(s) are maintained separately. These clarifications will ensure that companies are uniformly interpreting, calculating and reporting information.

Q. After eight workshops and considerable discussion with the industry and consumer representatives, is it your belief that the participants have agreed to the proposed revisions to Section 730.510(b)(3)?

A. Yes. It is my belief that the parties agree to the following language in subparagraph (3) (Lines 909 – 929):

Local exchange carriers shall maintain records of answer time performance at their business offices and repair offices. At a minimum, these records shall contain the following information collected on a monthly basis:

- 1) Total number of calls received;
- 2) Total number of calls answered;
- 3) Average answer time; and
- 4) Total number and percentage of abandoned calls.

On or before March 1 of each year, each local exchange carrier shall file, with the Chief Clerk of the Commission, an annual report containing the above information for its business and repair office(s) (separately when it maintains separate business and repair offices) for each month of the preceding calendar year. This

475 information shall also be made available to the Commission when
476 requested.
477

478 **Q. Did Staff propose any revisions to 730.510(c)?**

479 A. Yes. Staff proposed minor revisions to clarify the intent of the paragraph.
480 However, upon further analysis and review, Staff believes that subparagraph (c)
481 is duplicative of paragraphs 730.510(a)(2) and 730.510(b)(2) and therefore
482 should be stricken. Staff is of the belief that this redundancy was an oversight
483 and that the workshop participants would agree with Staff's assessment to strike
484 the current subparagraph (c).

485 **Q. Did Staff identify how the companies should calculate the "average**
486 **answer time?"**

487 A. Yes. In subparagraph (d) Staff proposed the following language:

488

489 For purposes of this Section, "average answer time" shall be
490 calculated by dividing the sum of all monthly answer times reported
491 in accordance with the applicable subsection hereof (measured in
492 seconds) by the total number of reported monthly calls.
493

494 **Q. After eight workshops and considerable discussion with the industry**
495 **and consumer representatives, did the participants agree to specific**
496 **language for Section 730.510(d)?**

497 A. Yes. Based on upon certain concessions made by all of the parties,
498 including Staff, it is my belief that the parties agree to the following language in
499 subsection (c) (Lines 936 – 938):

500 For purposes of this Section, “average answer time” shall be
501 calculated by dividing the total number of call waiting seconds by
502 the total number of reported monthly calls answered.
503

504 **Q. Why does Staff believe that the calculation of average answer time**
505 **should be included in the Part 730?**

506 A. Staff believes that including the specific calculation in Part 730 will ensure
507 that all companies uniformly calculate and report the average answer time, and
508 do so in a manner that is consistent with Staff’s expectations.
509

510 **IV. Section 730.535 Interruptions of Service**

511 **Q. What revisions did Staff propose to Section 730.535(c)?**

512 A. Staff initially proposed the following language in subparagraph (c):

513 If entry to the dwelling is required in order to clear an out of service
514 trouble report, the local exchange carrier shall provide reasonable
515 notice to the affected customer of such premise visit and shall
516 schedule and perform any such visit on a mutually agreed date and
517 time (which may be identified as occurring within a 4 hour window,
518 such as a morning or afternoon shift. When the repair appointment
519 cannot be met within the prescribed 4 hour window, the local
520 exchange carrier shall make reasonable efforts to notify the
521 customer of the delay and the reason for such delay prior to the
522 time of the scheduled appointment, and shall then reschedule a
523 date and time acceptable to the customer that the utility will be able
524 to provide the requested service.
525

Q. Section 5/13-712 of Public Act 92-0022 requires a carrier to provide its customers with 24 hour notice of its inability to keep an installation or repair appointment. How did Staff originally propose to define the 24 hour notice?

A. In the Part 732 workshops, Staff proposed the following definition for the 24 hour notice:

The 24 hour notice period shall be construed to mean notice by noon the day before the scheduled appointment.

For example, under Staff's proposal, a carrier whose representative needs to enter a premises to install or repair a service on Tuesday afternoon between 1pm and 5pm would need to notify the consumer by 12:00 Noon on Monday that they would not be able to keep the scheduled appointment.

Q. Did workshop participants agree with Staff's proposed definition of 24 hour notice?

A. No. In fact, after discussing this issue in the workshops all of the workshop participants agreed to define the 24 hour notice period to mean a 24 hour notice by the end of each 4 hour window the day before the scheduled appointment. Using the example above and applying this definition of 24 hour notice, the carrier would need to notify the consumer by 5pm on Monday that the carrier's service representative would not be able to keep the scheduled appointment for Tuesday afternoon.

Staff agrees with the definition proposed by the parties in the workshop. However, Staff continues to consider the underlying issue regarding missed appointments a serious matter that may need to be revisited if this definition for “24 hour notice” proves to be insufficient for consumers. Staff emphasizes that this concession was not made as a result of the persuasiveness of the carriers arguments with respect to the underlying issue of adequate notice to consumers, but was made in the spirit of compromise, and in response to concessions made by the workshop participants.

Q. After eight workshops and considerable discussion with the industry and consumer representatives, is it your belief that the participants agree to specific language for Part 730.535(c)?

A. Yes. It is my belief that the parties agree to the following language in subparagraph (c) (Lines 1131 – 1148):

If a carrier knows entry to the dwelling is required in order to clear an out of service trouble report, the local exchange carrier shall provide reasonable notice to the affected customer of such premise visit and shall schedule an appointment to and perform any such visit on a mutually agreed date and time (which shall be identified as occurring within a four (4) hour window, such as a morning or afternoon or evening shift). When the repair appointment cannot be met within the prescribed four (4) hour window, the local exchange carrier shall notify the customer of the delay and the reason for such delay 24 hours prior to its inability to keep the appointment, and shall then reschedule a date and time acceptable to the customer that the utility will be able to provide the requested service. The 24 hour notice period shall be construed to mean a 24 hour notice by the end of each 4 hour window the day before the scheduled appointment.

Q. Why did Staff propose the above language in subsection (c)?

A. Within the past year, many Illinois consumers were harmed by companies not keeping appointments and/or not notifying customers when appointments could not be met. Staff believes that specific appointment language within the rule, will ensure that companies maintain quality service. These parameters also conform to the requirements of 83 Ill. Adm. Code Part 732 ("Part 732"), Customer Credits. Part 732 was approved by the Commission on August 1, 2001, pursuant to its authority to establish emergency rules. The Staff of the Commission has hosted workshops to revise the emergency rule Part 732 to its final form. The language in the emergency rule Part 732 is taken directly from 720 ILCS 5/13-712. Section 5/13-712 was part of Public Act 92-0022, which became effective on June 30, 2001. One of the requirements of Section 5/13-712 is that each telecommunications carrier compensate consumers for missed repair and installation appointments.

V. Sections 730.540(e), Installation Requests

Q. What revisions did Staff propose to Section 730.540(e) for discussion at the first workshop on December 19, 2000?

A. Staff proposed the following language in subparagraph (e):

If a premise visit is required in connection with any regular service installation, the local exchange carrier shall provide reasonable notice to the affected customer of such premise visit and shall schedule and perform such visit at a mutually agreed upon date and time (which may be identified as occurring within a 4 hour window, such as a morning or afternoon shift). When the repair appointment or commitment cannot be met within the prescribed 4

605 hour window, the local exchange carrier shall make reasonable
606 efforts to notify the customer of the delay and the reason for such
607 delay prior to the time of the scheduled appointment or
608 commitment, and shall then reschedule a date and time acceptable
609 to the customer that the utility will be able to provide the requested
610 service. Customer-caused delays or customer-missed
611 appointments, may be exempted.
612

613 **Q. After eight workshops and considerable discussion with the industry**
614 **and consumer representatives, is it your belief that the participants have**
615 **agreed to specific language for Section 730.540(e)?**

616 A. Yes. It is my belief that the parties agree to the following language (Lines
617 1257 – 1275):

618 If a local exchange carrier knows a premise visit (which includes
619 entry into a dwelling) is required in connection with any basic local
620 exchange service installation, the local exchange carrier shall
621 advise the affected customer of such premise visit and shall
622 schedule an appointment to perform any such visit at a mutually
623 agreed upon date and time (which shall be identified as occurring
624 within a four (4) hour window, such as morning or afternoon or
625 evening shift). When the installation appointment cannot be met
626 within the prescribed four (4) hour window, the local exchange
627 carrier shall notify the customer of the delay and the reason for
628 such delay 24 hours prior to its inability to keep the appointment,
629 and shall then reschedule a date and time acceptable to the
630 customer that the utility will be able to provide the requested
631 service. The 24 hour notice period shall be construed to mean a 24
632 hour notice by the end of each 4 hour window the day before the
633 scheduled appointment. Customer-caused delays or customer-
634 missed appointments, may be exempted.
635

636 **Q. Why did Staff propose the above language in subsection (e)?**

637 A. Staff's reasoning for incorporating this language is primarily the same as
638 the reasoning for changes to Section 730.535 Interruptions of Service.

639 According, see Section IV above for further discussion of the reasons for the
640 above changes.

641 **Q. Does this complete your direct testimony?**

642 A. Yes, it does.

643